REMARKS

Copies of the drawings as originally filed with the application are being submitted to complete the USPTO file as requested by the Examiner.

The Amendment to the Specification filed on November 23, 2003 has been objected to by the Examiner under 35 USC 132 because it is considered to introduce new matter into the disclosure of the present application. The Examiner particularly objects to the changes made to Table 1 of the present application. The Examiner's objections are respectfully traversed.

In objecting to the changes made to Table 1, the Examiner notes that the amendments showing the presence of resorcinol resin and a methylene donor in Examples 1 and 2 were not present in the original application and similarly, the elimination of the resorcinol resin and methylene donor from references 2 and 3 also represents a change from the original disclosure. Although the position taken by the Examiner questioning the proposed changes to Table 1 is understood, the Applicants wish to point out to the Examiner that the original disclosure of Table 2 contained obvious typing errors which the Applicants have attempted to correct. Thus, the claims of the present application clearly recite that the topping rubber contains a methylene donor and a resorcinol or resorcinol condensation product. This fact is clear by referring to the four corners of the specification of the present application, including page 2, lines 5-7 of the specification. In fact, original claims 2 and 3 specifically recited that the amount of the resorcinol is from 0.5 to 5 parts by 100 parts by weight and the amount of the methylene donor is from 0.5 to 2 times the total weight.

Thus it is clear that Table 1 which originally showed in Examples 1 and 2 thereof zero amounts of resorcinol resin and methylene donor are clearly a typographical error. To further clarify this inadvertency, the Applicants are attaching herewith a copy of the Table as it was presented in the Japanese priority document together with an English-translation thereof. The Table in the Japanese priority document clearly shows the inadvertent nature of the mistake introduced into Table 1 of the present application. The Applicants are also submitting herewith a certified copy of the Japanese priority document which contains Table 1 as it should have been presented in the present application as originally filed. With this in mind, the Examiner is requested to reconsider his position with respect to the introduction of new matter into the present application.

The Examiner has objected to claim 4 as being improper form for failing to further limit the subject matter of a previous claim. As the Examiner will note, claim 4 has been cancelled from the present application and thus it is believed that this objection has been eliminated.

Claim 6 has been objected to since it is considered to contain the same limitations as claim 5. This objection is respectfully traversed.

As the Examiner will note, claim 5 has been limited to a monofilament metallic cord which is waved 2-dimensionally. On the other hand, claim 6 defines a monofilament metallic cord which is waved 3-dimensionally. Thus, claims 5 and 6 are, in fact different in the manner in which the amount of filament metallic cords are dimensionally positioned.

Claims 1 and 4-8 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Beers, U.S. Patent 6,120,911, in view of Nakano, U.S. Patent 5,804,002. This rejection is respectfully traversed.

The present invention is directed to a pneumatic tire wherein the belt which is utilized therein comprises a ply of monofilament metallic cords which are rubberized with a topping of rubber, the topping of rubber including a rubber base, a methylene donor and resorcinol or a resorcinol condensation product. Advantageously, the cords 13 may be waved either 2-dimensionally or 3-dimensionally as shown in Figs. 4A and 4B. As noted at the top of page 5 of the present application, when the cords 13 are waved either 2-dimensionally or 3-dimensionally, it is preferable that the wave pitches P are not less than 14.0 mm and the wave heights H are 0.002 to 0.02 times the wave pitches P. It has been found that if all of the cords of the two breaker plies are straight or unwaved, the rigidity or stiffness of the belt tends to increase excessively. Thus, although the steering stability might be improved, the resistance to fatigue, belt durability and ride comfort tends to deteriorate. In the case of waved, monofilament cords, on the other hand, although the steering stability may be adversely affected somewhat, this shortcoming is offset by a general improvement in performance with respect to resistance to fatigue, belt durability, ride comfort, and the like.

Although some vague reference is made in the Nakano patent that the metallic reinforcing elements can be arranged as a ribbon of wavy reinforcing elements coated with rubber, there appears to be no suggestion in the

reference patent of how the wavy reinforcing elements are disposed within the rubber. Thus, as noted in claims 5 and 6 of the present application and as recited at the top of page 5 of the present application, the wave pitches P are not less than 14.0 mm and the wave heights H are 0.002 to 0.02 times the wave pitches P. Similarly, there is no suggestion in the reference patent that the monofilament metallic cords can be waved 3-dimensionally at a wave pitch of not less than 14.0 mm and a wave height of from 0.002 to 0.02 times the wave pitch as recited in claim 6 of the present application. Thus, even if, arguendo, it is possible to combine the references as suggested by the Examiner, such combination would still not suggest the present invention, particularly as recited in claims 5 and 6 of the present application.

Accordingly, in view of the above amendments and remarks reconsideration of the objections and rejections and allowance of the claims of the present application are respectfully requested. In the event the Proposed Amendment does not place the present application in condition for allowance, entry thereof is respectfully requested as placing the present application into better condition for appeal.

A Notice of Appeal is being filed concurrently with this Proposed Amendment.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch (Reg. No. 22,463) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a three-month extension of time for filing a reply in connection with the present application, and the required fee of $950 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachments: Complete Set of Formal Drawings as originally filed.